

to be carried on in this state is such as may be lawfully carried on by a corporation incorporated under the laws of this state for such or similar business. The secretary of state shall deliver such certificate to every such corporation so complying with the requirements of the law upon receipt of the fees provided for in this act.

Sec. 60. No such corporation now doing business in this state shall do business herein after January 31st, 1903, without having procured such certificate from the secretary of state; but any lawful contract previously made by the corporation may be performed and enforced within the state subsequent to such date.

Sec. 61. No foreign corporation mentioned in the second preceding section, doing business in this state subsequent to the last day of January, 1903, shall, except as provided in the preceding section, maintain any action in this state upon any contract made by it in this state, unless prior to the making of such contract, it shall have procured such certificate. This prohibition shall also apply to any assignee of such foreign corporation and to any person claiming under such assignee or such corporation or under either of them. No certificate of authority shall be granted to any foreign corporation having the same name as an existing domestic corporation.

Sec. 62. Every foreign corporation mentioned in section fifty-five shall, before such certificate is granted, file in the office of the secretary of state, and in the office of the commissioner of state taxes a sworn copy in the English language of its charter or certificate of incorporation and a statement under its corporate seal, particularly setting forth the business of the corporation which it is engaged in carrying on or which it proposes to carry on within the state, and a place within the state which is to be its principal place of business, and designating a person residing in this state upon whom process against the corporation may be served within the state and to whom all notices relating to corporate taxation under the provisions of this act shall be given. The person so designated must have an office or place of business at the place where such corporation is to have its principal place of business within the state.

Sec. 63. Such designation shall continue in force until revoked by an instrument in writing designating in like manner some other person upon whom process against the corporation may be served in this state, or to whom the notices hereinbefore described shall be given. If the person so designated dies, or removes from the place where the corporation has its principal place of business within the state, and the corporation does not within thirty days after such death or removal, designate in like manner another person upon whom process against it may be served within the state, process against the corporation in an action upon any liability incurred within this state before such revocation, may after such death or removal and until another designation is made, be served upon the secretary of state by delivering to him duplicate copies, one of which shall be placed on file in his office, and the other copy immediately forwarded by the secretary of state by mail prepaid to such corporation at its home office, or to such other person as said corporation shall designate in writing; and there shall be paid to the secretary of state by the officer serving the same the sum of one dollar. All notices pertaining to taxation may in like manner be served upon the secretary of state, but he shall not receive any extra compensation in consequence thereof.

Sec. 64. The commissioner of state taxes

shall upon application therefor furnish blanks upon which the statements provided for in the preceding section shall be made by such foreign corporation and shall certify to the secretary of state the date at which all such statements properly filled out and sworn to are filed in his office. Upon filing such statements the secretary of state and commissioner of state taxes shall each receive the sum of two dollars to be paid in advance by every foreign corporation filing the same.

**GENERAL POWERS OF COMMISSIONER.**

Sec. 65. The commissioner of state taxes may summon before a magistrate and examine upon oath any officer, agent or clerk of a corporation, or person required by this act to make returns or pay a tax and may examine any book of accounts kept by such corporation, or person, concerning all matters as to which information is required to carry out the provisions of this act.

Sec. 66. If an officer, agent, clerk or person refuses to appear and be sworn, or to testify with reference to such matters or to show to the commissioner such books of account, he shall be fined not more than five thousand dollars and not less than five hundred dollars.

Sec. 67. If the commissioner finds that, owing to the incorrectness of a return, or any other cause, a tax paid is too small, he shall assess an additional tax, sufficient to cover the deficit, and shall forthwith notify by mail the parties so assessed. If the additional assessment is not paid within thirty days after such notice, the corporation or person against whom it is assessed shall be liable to the same penalties as for neglect to pay annual, or semi-annual taxes.

#### MISCELLANEOUS.

Sec. 68. Real and personal estate used in operating a railroad, or appraisal able under sections twelve, thirteen and twenty-four, or used in carrying on express, telegraph or telephone business in this state, and the real and personal estate owned by steamboat, car, and transportation companies, and stock in telephone, insurance, steamboat, car and transportation companies taxed by this act, shall not be set in the grand list nor stated in the inventories returned to the listers.

Sec. 69. So much of the charter of any corporation or company organized under the laws of this state as exempts such corporation from taxation, so far as it conflicts with this act, is hereby repealed.

Sec. 70. Any person who wilfully swears falsely to any return statement or certificate mentioned in this act shall be guilty of perjury.

Sec. 71. Section 362 of the Vermont Statutes is hereby amended by striking out the following words and figures, namely:

"VI. Real estate used in operating a railroad for a period of eight years from the time when trains for public traffic and accommodations commence running on such railroad in or through a town."

Sec. 72. Section 374, subdivision eight thereof, is hereby amended so as to read as follows:

VIII. The excess of deposits over two thousand dollars in all savings banks, savings institutions and trust companies within or without this state on the first day of April in any year shall be set in the list to the owner like other personal estate.

Sec. 73. Section 375 of the Vermont Statutes is hereby amended by striking out the words "fifteen hundred" appearing in the fifth and sixth lines of said section, and inserting in lieu thereof the words "two thousand."

Sec. 74. Section 399 of the Vermont

Statutes is hereby amended by striking out the words "fifteen hundred" in the ninth line thereof, and inserting in lieu thereof the words "two thousand."

Sec. 75. Section 411 of the Vermont Statutes is hereby amended by striking out the words "fifteen hundred" in the eighth line thereof and inserting therein the words "two thousand."

Sec. 76. This act shall not affect the liability of corporations and persons to pay to the state the tax or taxes already accrued under the provision of chapter thirty-one of the Vermont Statutes and all acts in amendment thereof. This act shall not affect the liability of corporations and persons to pay to the state the tax or taxes already accrued, and to hereafter accrue, for the semi-annual period beginning on the first day of July, 1902, and ending with the last day of December, 1902; nor for the annual period beginning with the first day of January, 1902, and ending with the last day of December, 1902; nor for the annual period beginning on the first day of July, 1902, and ending on the last day of June, 1903, except as herein otherwise provided by this act. The first semi-annual tax period for which taxes provided by this act shall be assessed, shall be the period commencing with the first day of January, 1903, and terminating with the last day of June, 1903, except as otherwise provided in this act; and the first annual period in which taxes provided by this act shall be assessed shall be the annual period commencing the first day of January, 1903, and ending with the last day of December, 1903, except as otherwise provided in this act.

Sec. 77. Chapter thirty-one of the Vermont Statutes and No. 18, laws of 1896 are hereby declared to be and remain in force and effect for the purpose of assessing and collecting all taxes now accrued or which shall hereafter accrue within the current annual or semi-annual period, respectively, except as herein otherwise provided.

Sec. 78. In so far as the provisions of this act are the same as those of chapter thirty-one Vermont Statutes, and of No. 18 of the laws of 1896, they shall be construed as a continuation of such laws and not as new enactments.

Sec. 79. All acts or parts of acts inconsistent herewith are hereby repealed except for the purpose herein before stated but the repeal of such acts or parts of acts shall not affect the validity of a tax accrued or accruing at the time of the enactment hereof, nor a suit or proceeding had or commenced or to be had or commenced, to collect any or all of the taxes so accrued or accruing or any forfeiture therewith connected.

Sec. 80. This act, except the part thereof as to which a different provision is expressly made, shall take effect upon its passage.

#### NUMBER 17.

#### AN ACT IN AMENDMENT OF NO. 7 OF THE ACTS OF 1896, REQUIRING COLLECTORS OF TAXES FOR UNORGANIZED TOWNS AND GORES TO FURNISH BONDS TO THE COUNTY TREASURER.

It is hereby enacted by the General Assembly of the State of Vermont:

Section 1. Section 2 of No. 72 of the act of 1896 is hereby amended to read as follows:

Sec. 2. Such tax shall be assessed in the month of January and put into the hands of the collector of taxes for unorganized towns and gores on or before the tenth day of the February following, and such collector shall before the delivery thereof give a bond to the county treasurer con-